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10 UNITED STATES MAGISTRATE COURT
11 NORTHERN DISTRICT OF CALIFORNIA
12 SAN FRANCISCO DIVISION

13 UNITED STATES OF AMERICA,)	No. CR 12-00560 JW
14 Plaintiff,)	STIPULATION REGARDING SPEEDY
15 v.)	TRIAL ACT AND PROPOSED ORDER
16 ALFONSO ESPINOZA AVILES,)	
17 a/k/a Arturo Herejon Abad)	
18 Defendant.)	

19 On August 2, 2012, defendant Alfonso Espinoza AVILES appeared before the Court for
20 detention hearing. Partial discovery was provided to the defendant, and the Government
21 anticipates providing the remaining discovery within the next few weeks. A status conference is
22 scheduled for September 24, 2012, before the Honorable James Ware. Defense counsel will
23 need this time to review discovery and determine how to effectively defend the case.

24 With the agreement of the parties, and with the consent of the defendant, the Court enters
25 this order documenting the exclusion of time under the Speedy Trial Act from August 2, 2012,
26 through September 24, 2012, for effective preparation of defense counsel, under 18 U.S.C.
27 § 3161(h)(7)(A), (h)(7)(B)(iv).

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1 The parties agree, and the Court finds and holds, as follows:

2 1. The defendant agrees to the exclusions of time under the Speedy Trial Act from
3 August 2, 2012, through September 24, 2012, based upon the need for effective preparation of
4 defense counsel.

5 2. Counsel for the defendant believes that the exclusion of time is in his client's best
6 interest.

7 3. Given these circumstances, the Court finds that the ends of justice served by excluding
8 the period from August 2, 2012, through September 24, 2012, outweigh the best interest of the
9 public and the defendant in a speedy trial. 18 U.S.C. § 3161(h)(7)(A).

10 4. Accordingly, and with the consent of the defendant, the Court orders that (1) the
11 defendant shall appear before the Honorable James Ware on September 24, 2012 at 1:30 p.m. for
12 an initial appearance; (2) the period from August 2, through September 24, 2012, shall be
13 excluded from Speedy Trial Act calculations under 18 U.S.C. §3161 (h)(7)(A), (h)(7)(B)(iv).

14
15 STIPULATED:

16
17 DATED: August 2, 2012

/s/
SUSAN CUSHMAN
Assistant United States Attorney

18
19 DATED: August 2, 2012

/s/
PETER GOODMAN
Attorney for Defendant
Alfonso Espinoza Aviles

20
21 IT IS SO ORDERED:

22 DATED: August 7, 2012


HOV. ELIZABETH D. LAPORTE
United States Magistrate Judge